



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Patent Cooperation Treaty Legal Office

Address: Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

25 MAR 1999

Pennie & Edmonds
1155 Avenue of the Americas
New York, NY 10036-2711

In re Application of

SEIBEL et al

Application No.: 08/765,244

PCT No.: PCT/DE95/00775

Int. Filing Date: 11 June 1995

Priority Date: 16 June 1994

Attorney Docket No.: 8484-018-999

For: CHIMERICAL PEPTIDE-NUCLEIC
ACID FRAGMENT, PROCESS FOR...

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DECISION ON PETITION
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This is a decision on applicant's "PETITION TO WITHDRAW ABANDONMENT" filed in the Patent and Trademark Office (PTO) on 23 February 1998, which urges that a proper response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 09 June 1997, was timely filed on 30 October 1997. The petition is **GRANTED** as discussed below.

A review of the application file reveals that a proper response to the Form PCT/DO/EO/905 was timely filed. The response was in the form of a declaration of the inventor in compliance with 37 CFR 1.497 filed in the PTO on 30 October 1997, and a petition for a four month extension of time.

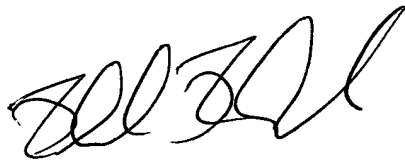
Therefore the NOTIFICATION OF ABANDONMENT was mailed in error and is hereby **VACATED**, and the abandonment of the application is hereby **WITHDRAWN**.

Counsel's Deposit Account No. 16-1150 has been charged in the amount of \$755 (fee code 218) for the extension of time.

A review of the application file reveals that all of the requirements for entry into the national stage in the US under 35 U.S.C. 371 have now been satisfied.

The application has an international filing date of **11 June 1995**, under 35 U.S.C. 363, and a 35 U.S.C. 102(e) and 371(c) date of **30 October 1997**.

This application is being forwarded to the National Stage Processing Branch of the International Division for the charging of the surcharge for late filing of the translation to counsel's deposit account, for the preparation and mailing of a NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495 (Form PCT/DO/EO/903) in accordance with this decision, and for the preparation and mailing of a filing receipt.



Richard R. Cole
Legal Examiner
PCT Legal Office

(703)305-6639
RRC:rrc